

REMARKS

Claims 1-47 are all the claims pending in the application. Claims 1-47 presently stand rejected. Claims 1, 23, 41, 46, and 47 are independent claims.

Claim 47 has been amended so that it includes the recitation that the set-top-box is adapted to convert a received digital television signal into television content, which was previously added to the other independent claims.

Claim Rejections

Claims 1, 4-12, 14, 15, 17-20, 22, 23, 41-43 and 45-47 are rejected under 35 U.S.C. § 102(b) as being anticipated by Remillard (US 5,461,667). Claims 2, 3, 21, 24-30, 32, 33, 35-40 and 44 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Remillard.

Claims 13 and 31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Remillard in view of Dugan (US 6,330,079). Claims 16 and 34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Remillard in view of Merwin et al. (US 6,731,725).

Claims 1-22

Applicant respectfully requests that the Examiner withdraw the rejection of independent claim 1 at least because Remillard does not teach all of the claim limitations. For example, Remillard does not teach the claimed communication system having a set-top-box that converts a received digital television signal into television content.

That is, by the invention, an existing set-top-box, which *already provides conversion of digital television signal*, also includes an interactive system that is operable to trigger a communication between the user and a remote third party.

The Examiner has maintained the previous rejections. In the previous response, Applicant noted that Remillard does not teach the claimed communication system having a set-top-box that converts a received *digital television signal* into television content. Specifically, Applicant argued that, although Remillard discloses that the interface 20 can be used for pay-per-view services, this disclosure merely teaches using the interface 20 for payment of, and authorization for, the pay-per-view services, and does not teach that the pay-per-view programs are provided through the interface 20.¹ Moreover, with respect to the “interactive services” of Remillard, the interface 20 is able to transmit captured images from a television 50 to a host computer 50,² the interface 20 includes a television interface 108 that has a video controller for producing an television-compatible output,³ and the interface 20 includes a modem 110 that permits the interface 20 to exchange information with a selected facility 31.⁴ However, there is no disclosure that the interface 20 provides *conversion of a digital television signal* into television content.

¹ See Remillard at 9:43-53.

² See Remillard at 4:65-5:8.

³ See Remillard at 6:7-13..

⁴ See Remillard at 6:14-18.

The Examiner was not convinced by these arguments. In the current Office Action, the again Examiner asserts that the electronic device of Remillard provides conversion of a digital television signal because Remillard discloses receiving and displaying requested services through the television.⁵

Accordingly, Applicant has provided further comments regarding the distinction between the communication system of claim 1 and Remillard's interactive services.

Although Remillard's device 20 can provide a communication with a remote third party, there is no discussion at all in Remillard with respect to digital television. For example, it appears that the general television 50 of Remillard is capable of directly receiving an analog television signal, but would require an additional device, such as a set-top-box to covert a digital television signal. Therefore, if Remillard's television 50 were to include a set-top box that provides conversion of the digital signal, then device 20 would be *an additional, add-on device* that provides certain functions, including communication with a remote third party. There is no disclosure in Remillard regarding providing both of these functions within a single set-top-box.

Therefore, Applicant respectfully request that the Examiner withdraw the rejection of independent claim 1.

Moreover, Applicant respectfully requests that the Examiner withdraw the rejections of dependent claims 2-22 at least because of their dependency from claim 1.

⁵ See Office Action at pages 18 & 19.

Claims 23-47

In addition, Applicant respectfully request that the Examiner withdraw the rejection of independent claims 23, 41, 46, and 47, which recite that the set-top-box converts a received digital television signal into television content, at least for the reasons discussed above with respect to independent claim 1.

Finally, Applicant respectfully requests that the Examiner withdraw the rejections of dependent claims 24-20, and 42-45 at least because of their dependency from claim 23 or claim 41.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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